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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,129	09/09/2003	John Tandler	024360-0102	5406
7590 Mr. John Tandler Chief Executive Officer SkyMate, Inc. P.O. Box 710357 Oak Hill, VA 20171	05/09/2007		EXAMINER HOANG, HIEU T	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 05/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/658,129	TANDLER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hieu T. Hoang	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 09 September 2003.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-36 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-36 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. This office action is in response to the amendment filed on 09/09/2003.
2. Claims 1-36 are pending and presented for examination.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims recites the limitations "an electronic mail message", "the electronic mail", and "the electronic message." It is unclear whether these limitations all refer to a same email message. For examining purpose, "the electronic mail" will be treated as "the electronic mail message", and "the electronic message" will be treated as "the electronic mail message". Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the

international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Kish et al. (US 6,904,341, hereafter Kish).

7. For claim 1, Kish discloses a method for sending email from a remote location, comprising:

- generating an electronic mail message using a personal computing device (col. 9 lines 40-50, a signal such as an email message can be generated by main processor 12);
- transferring the electronic mail to a satellite data communicator configured to provide communication with a low earth orbiting satellite (col. 10 lines 17-22, col. 8 lines 62-67, a satellite modem is connected to the main processor 12, providing a link to various remote sites, including orbiting satellites for receiving internet information, emails can be sent using satellite connection through the satellite modem, reading as a satellite data communicator); and
- sending the electronic message to a low earth orbiting satellite using the satellite data communicator and an antenna coupled to the satellite data communicator (col. 8 lines 62-67, col. 5 lines 32, sending emails using the satellite modem and a satellite antenna and receiver coupled to the satellite modem).

8. For claim 8, Kish further discloses the electronic message includes sensor data received from sensors on a transportation mode (fig. 1, sensors collecting information of vessel systems, col. 9 lines 22-32, the main processor 12 monitors vessel operational parameters from the sensors and provides alarm signals accordingly (emails)).

9. For claim 9, Kish further discloses the personal computing device is configured to generate and transmit the electronic mail on a periodic basis (col. 10, lines 28-31).

10. For claim 10, Kish further discloses the electronic message includes a position information obtained from a global positioning satellite (col. 12, lines 8-17, GPS receiver provides the vessel location to the main processor 12 for generating alarms).

11. For claim 11, Kish further discloses the personal computing device is configured to generate and transmit the electronic mail on a periodic basis (col. 10, lines 28-31).

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kish, in view of Boman et al. (US 2003/0157968, hereafter Boman).

14. For claim 7, Kish discloses the invention substantially as in claim 1. Kish does not disclose the electronic message includes a text message to be converted into a voice message.

Boman discloses a text message to be converted into a voice message (abstract, text-to-speech).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish and Boman in order to convert a text message to speech to aid visually impaired message receiver, or to generate a loud voice alarm instead of a text message for attracting more attention.

15. Claims 2-6, 12-17, 19-21, 25-29, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kish, as applied to claims 1, 17, in view of LeCompte et al. (US 2002/0041328).

16. For claim 2, Kish disclosed the invention substantially as in claim 1. Kish further discloses there are numerous applications for the alarm messages or emails (the email in claim 1) and numerous recipients of these alarms (col. 10, lines 3-6). Kish further discloses using Internet connection via the satellite modem to access

weather information (col. 8 lines 62-67). Kish does not explicitly disclose the electronic mail includes a request for weather information.

However, LeCompte discloses request messages for weather information ([0165] lines 14-16, [0217], weather service request messages). LeCompte also discloses emails can be used to transfer weather data from a ground station to a ship via a satellite ([0217], fig. 3, ground station 308, ship 1200, satellite 300).

However, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish and LeCompte in order to request for weather information using email through a satellite connection, since there are numerous applications for the email message and numerous recipients of these alarms (Kish, col. 10, lines 3-6).

17. For claim 3, Kish-LeCompte discloses the invention substantially as in claim 2. Kish-LeCompte further discloses receiving a responsive email containing text weather information (LeCompte, [0217] lines 5-18, [0243] line 14).

18. For claim 4, Kish-LeCompte discloses the invention substantially as in claim 2. Kish-LeCompte further discloses the method further includes receiving a responsive email containing graphical weather information (LeCompte, [0217] lines 5-8, imaging data).

19. For claim 5, Kish-LeCompte discloses the invention substantially as in claim 4. Kish-LeCompte further discloses the graphical weather information contains dynamic

weather information and not a map (LeCompte, [0162], real-time weather information and not just a map).

20. For claim 6, Kish-LeCompte discloses the invention substantially as in claim 5. Kish-LeCompte further discloses the step of applying the received dynamic weather information to a map stored on the personal computing device (LeCompte, [0162] lines 7-12, dynamic weather information is overlaid on the map image stored in a local storage medium on the ship).

21. For claim 12, Kish discloses a system for providing information to a user in a remote location, the system comprising:

- a communicator, the communicator including a personal computing device; a satellite data communicator; and an antenna (fig. 1, vessel monitoring and control system with a main processor, a satellite modem, and a satellite antenna); and
- the communicator sends and receives email through a low earth orbit satellite system (fig. 1, satellite modem and antenna for satellite connection, col. 9 lines 40-50, col. 10 lines 3-22, the vessel monitoring and control system can generate emails and send them to a remote site via a satellite network).

Kish does not disclose:

- an application server system, wherein the application server system is configured to send and receive email through a low earth orbit satellite system.

However, LeCompte discloses:

- an application server system, wherein the application server system is configured to send and receive email through a low earth orbit satellite system ([0217] lines 5-19, fig. 3, ground station 308 receives and processes weather information requests (emails) from ship 1200, then distributes emails regarding the warning of particular weather events in the ship's area).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish and LeCompte in order to implement a server to receive and response to emergency aid request (LeCompte, fig. 3, ground station providing weather and emergency service to ship 1200).

22. For claim 25, Kish discloses a system for providing information to a user in a remote location, the system comprising:

- a communicator means configured to transmit and receive electronic mail over a low-earth orbiting satellite system from a remote location (fig. 1, satellite modem and antenna for satellite connection, col. 9 lines 40-50, col. 10 lines 3-22, the vessel monitoring and control system can generate emails and send them to a remote site via a satellite network); and

Kish does not disclose:

- an application server means configured to perform an action based upon the contents of an electronic mail message received from the communicator means;

However, LeCompte discloses:

- an application server means configured to perform an action based upon the contents of an electronic mail message received from the communicator means ([0217] lines 5-19, fig. 3, ground station 308 receives and processes weather information requests (by emails) from ship 1200, then distributes emails regarding the warning of particular weather events in the ship's area).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish and LeCompte in order to implement a server to receive and response to emergency aid request (LeCompte, fig. 3, ground station providing weather and emergency support service to ship 1200).

23. For claims 13 and 26; Kish-LeCompte discloses the invention substantially as in claims 12 and 25. Kish-LeCompte further discloses the communicator is coupled to sensors on a transportation mode or a vessel (Kish, fig. 1, sensor concentrators on a vessel).

24. For claims 14 and 27, Kish-LeCompte discloses the invention substantially as in claims 13 and 26. Kish-LeCompte further discloses the communicator is configured to transmit an electronic mail containing information received from the sensors to the application server system (Kish, col. 9 lines 22-32, the main processor 12 monitors vessel operational parameters from the sensors and provides alarm signals accordingly (emails)).

25. For claims 15 and 28, Kish-LeCompte discloses the invention substantially as in claims 14 and 27. Kish-LeCompte further discloses the electronic mail is transmitted periodically (Kish, col. 10, lines 28-31).

26. For claims 16 and 29, Kish-LeCompte discloses the invention substantially as in claims 14 and 27. Kish-LeCompte further discloses the electronic mail is transmitted based on the information received from the sensors (Kish, col. 9 lines 22-32, the main processor 12 monitors vessel operational parameters from the sensors that potentially endangers the vessel and provides alarm signals accordingly (emails)).

27. For claim 17, Kish-LeCompte discloses the invention substantially as in claim 12. Kish-LeCompte further discloses the application server system is configured to perform an action based on the contents of the electronic mail (Kish, col. 9 lines 40-50, an email message to the remote site can trigger alarms at the remote site, or, col. 10 lines 32-40, email message can be forwarded by the remote site to a web site for downloading by a user, etc., LeCompte, [0217] lines 5-19, fig. 3, ground station 308 receives and processes weather information requests (by emails) from ship 1200, then distributes emails regarding the warning of particular weather events in the ship's area).

28. For claims 19 and 31, Kish-LeCompte discloses the invention substantially as in claims 17 and 25. Kish-LeCompte further discloses the action includes initiating an

emergency response (Kish, col. 11, 31-40, the network control center receives an unwanted intrusion onto the vessel and generates an emergency notification to the police officials and security).

29. For claims 20 and 32, Kish-LeCompte discloses the invention substantially as in claims 17 and 25. Kish-LeCompte further discloses the action includes processing position information included in the electronic mail (Kish, col. 11 lines 15-40, a network control center receives a email message containing operational information of the vessel from the vessel and then forwards the message to a vessel service center, security or police; part of the table on col. 15, operational information contains information on navigation system, including global positioning system location of the vessel).

30. For claims 21 and 33, the claims are rejected for the same rationale as in claims 20 and 32.

31. Claims 18 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kish-LeCompte, in view of Boman.

32. For claims 18 and 30, Kish-LeCompte discloses the invention substantially as in claims 17 and 25. Kish-LeCompte does not disclose the action includes converting

at least a portion of the electronic message into a voice message and transmitting the voice message.

Boman discloses a method of converting a text message to a voice message (abstract, text-to-speech).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish-LeCompte and Boman in order to convert a text message to speech to aid visually impaired message receiver, or to generate a loud voice alarm instead of a text message for attracting more attention.

33. Claims 22-24 and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kish-LeCompte, in view of Vries et al. (US 2004/0111195, hereafter Vries).

34. For claims 22 and 34, Kish-LeCompte discloses the invention substantially as in claims 12 and 25. Kish-LeCompte further discloses the application server system is configured to automatically compose and transmit an electronic mail to the communicator (LeCompte, [0217]).

Kish-LeCompte does not disclose the application server is configured to compose and transmit information based upon user defined preferences.

However, Vries discloses the application server is configured to compose and transmit information based upon user defined preferences (fig. 6A, news section)

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish-LeCompte and Vries in order to provide the vessel with more service such as electronic news (Vries, fig. 6A, news)

35. For claims 23 and 35, Kish-LeCompte discloses the invention substantially as in claims 22 and 34. Kish-LeCompte-Vries further discloses the user defined preferences include a selection of at least one of a news topic, a sports team, and a stock (Vries, fig. 6A, news section).

36. For claims 24 and 36, Kish-LeCompte discloses the invention substantially as in claims 12 and 25. Kish-LeCompte does not disclose the communicator is configured to display an indicia to indicate that an electronic mail has been received from the application server system.

However, Vries discloses the communicator is configured to display an indicia to indicate that an electronic mail has been received from the application server system ([0036], lines 3-7, a LED display indicating that a message (or an email has been received from the land-based operation center-read as the application server system)).

Therefore, it would have been obvious for one skilled in the art at the time of the invention to combine the teachings of Kish-LeCompte and Vries to alert the vessel user of arrived emails using an indicator such as a LED of Vries.

***Conclusion***

37. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Smith. US 6,845,324. Rotating map and user-centric weather prediction.
- Schwoegler. US 6,590,529. Individualized, location specific weather forecasting system.
- Smith. US 2005/0086004. User-centric event reporting.
- Walker. US 2003/0221118. Automatic accounting system.
- Treyz et al. US 6,711,474. Automobile personal computer system.
- Everett. US 2004/0142722. Databus communicator within a telemetry system.
- Babu et al. US 2002/0143930. Handling location information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2152

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HH



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SUPERVISORY PATENT EXAMINER